



GARNET ENERGY CENTER

Case No.: 20-F-0043

1001.1 Exhibit 1

General Requirements

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Appendix 1-1. Certificate of Formation

Exhibit 1: General Requirements

This Exhibit will track the requirements of Final Stipulation 1, dated March 5, 2021, and therefore, the requirements of 16 New York Codes, Rules and Regulations (NYCRR) § 1001.1.

1(a) Application Requirements

Garnet Energy Center, LLC (the Applicant) proposes to construct a solar energy center, the Garnet Energy Center (the Garnet Energy Center or the Project), in the Town of Conquest, Cayuga County, New York (see Figure 1-1). The Project will consist of a 200-megawatt (MW) solar energy center and a 20 MW/four-hour duration energy storage system located on land leased or purchased from owners of private property. The Project Area includes approximately 2,288.7 acres. Project Components include commercial-scale solar arrays, access roads, fencing, buried electric collection lines, energy storage, on-site laydown/staging areas, collection substation, and 345-kV switchyard that will tap into the existing New York Power Authority (NYPA) Clay to Pannell 345 kV transmission line.

This Application contains the exhibits described by 16 NYCRR § 1001 as relevant to the Project technology and site, and such additional exhibits and information as the Applicant may consider relevant or as may be required by the Siting Board or the Presiding Examiner. In instances where an exhibit is not relevant to this particular Application, it has been noted.

1(b) Exhibit Title Pages

Each exhibit herein contains a title page showing:

- (1) The Applicant's name.
- (2) The title of the exhibit.
- (3) The proper designation of the exhibit.

1(c) Formatting

This Application has been formatted as follows:

- (1) Each exhibit consisting of 10 or more pages of text contains a table of contents citing by page and section number or subdivision the component elements or matters contained in the exhibit.

- (2) Each exhibit that includes reference or supporting documents such as attachments or appendices contains a table of contents that indicates those supporting documents. The location of information within the Application (including exhibits, attachments and appendices, specifically addressing the relevant requirements of the Stipulations and, therefore, 16 NYCRR § 1001) has been clearly identified either in the table of contents or in the form of a matrix in order to ensure completeness and facilitate review. The Application provides a list of acronyms as an appendix to the Table of Contents. All reference citations within the body of an exhibit are fully cited at the relevant list of reference documents.
- (3) Shapefiles for the Project will be included (as applicable) as noted in (d)(1) below and shall depict:
- (a) The location of all Project Components including (separately):
 - i. Extent of the Project Area.
 - ii. All parcels under the Applicant's control.
 - iii. Proposed locations of panels, access roads, electric interconnections, fencing, energy storage, substations, etc.
 - iv. Solar array locations.
 - v. New access and maintenance roads.
 - vi. Existing roads that will be widened/altered.
 - vii. Electric collection and transmission lines (specified above ground and underground as applicable).
 - viii. Security fence lines, if applicable.
 - ix. Laydown and storage area(s). Other temporary or permanent infrastructure constructed in support of the Project.
 - x. All areas to be cleared around solar arrays, access roads, electric lines, and all other Project components.
- (4) All wildlife and habitat survey locations as applicable and labeled by year including (separately):
- (a) Breeding bird survey locations, including transects, points and driving routes, as applicable.

- (b) Eagle/raptor survey locations, if applicable.
 - (c) Viewsheds for eagle/raptor and winter raptor observation points, indicating the area visible from each point.
 - (d) Bat acoustic monitoring and/or mist net locations, if applicable.
 - (e) Aerial raptor nest survey area and transects.
 - (f) Boundaries of all delineated wetlands, adjacent areas, and streams.
 - (g) The location(s), observation date(s), species, and behavior(s) of all threatened and endangered (T&E) species and species of special concern (SSC) individuals on the landscape observed during pre-construction surveys and incidentally within and adjacent to the facility; and any other survey information pertinent to the Project. Attributes shall include the species, number of individuals, dates, flight path, behaviors, and survey type, as applicable.
- (5) All proposed impact areas including (separately):
- (a) Areas to be removed, cleared or disturbed overlaid with approximate locations and extent of identified plant communities, including areas of invasive species occurrences.
 - (b) Limits of disturbance/vegetation clearing.
 - (c) Stream crossing locations.
 - (d) Wetland and stream impacts.
 - (e) Wetland delineations within 100 feet of limits of disturbance, including identification of vernal pools, if any.

1(d) Statistical Comparison

In collecting, compiling and reporting data required by 16 NYCRR Part 1001, the Applicant shall establish, where available and applicable, a basis for statistical comparison with data that shall subsequently be obtained under any program of post-construction monitoring. In addition, the Applicant will provide the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Public Service (DPS), contemporaneously with the filing of the application, shapefiles suitable for use in geographic information system (GIS) software via Environmental Systems Research Institute's (Esri's) ArcGIS suite of software containing all applicable Project and survey components using NYSDEC's *Guidelines for Conducting Bird and*

Bat Studies at Commercial Wind Energy Projects (June 2016) as guidance. Applicable shapefiles will also be provided to accompany applicable wildlife and habitat survey reports when they are ready to be submitted by the Applicant.

- (1) GIS shapefiles of Facility components and site locations, property lines, environmental data, visual and cultural resource locations, and related analyses derived from such data and utilized in development of the Application and mapping, will be provided directly to DPS and NYSDEC Staff, under confidential cover, at the time the Application is filed, and to all other Parties upon request, subject to confidentiality restrictions.

1(e) Information in Multiple Exhibits

If the same information is required for more than one exhibit, it may be supplied in a single exhibit and referenced in other exhibit(s) where it is also required.

1(f) Applicant Information

(1) Applicant Contact Information

Garnet Energy Center, LLC
700 Universe Blvd., E5E
Juno Beach, FL 33408
Telephone: (800) 674-0851
Fax: (561) 304-5404
Email: info@garnetenergycenter.com

(2) Project Website

The Project specific website address is: www.garnetenergycenter.com

(3) Applicant's Primary Public Contact and Authorized Agents

Kris Scornavacca
c/o Read and Laniado, LLP
25 Eagle Street
Albany, NY 12207
Telephone: (561) 694-4738
Fax: (561) 304-5404
Email: Kris.Scornavacca@nee.com

Sam Laniado, Esq.
Konstantin Podolny, Esq.
Read and Laniado, LLP
25 Eagle Street
Albany, NY 12207
Telephone: (518) 465-9315
Email: sml@readlaniado.com and KP@readlaniado.com

The Applicant's public contact and authorized agents are generally available between the hours of 9:00 AM and 5:00 PM, Monday through Friday, or at a time scheduled in advance utilizing the email address and/or phone number listed above.

(4) Applicant's Principal Officer

Mr. Anthony Pedroni, Vice President
700 Universe Blvd., E5E
Juno Beach, FL 33408
Telephone: (561) 694-4738
Fax: (561) 304-5404
Email: info@garnetenergycenter.com

(5) Document Service

All documents and correspondence related to this application should be served on the Applicant's public contacts, Kris Scornavacca and Sam Laniado, per the contact information above. In addition, the Applicant requests that copies of documents or other correspondence also be served on the following agents:

Ms. Hayley Effler
TRC
215 Greenfield Parkway, Suite 102
Liverpool, NY 13088
Telephone: (315) 715-1642
Email: HEffler@trccompanies.com

Mr. Konstantin Podolny, Esq.
Read and Laniado, LLP

25 Eagle Street
Albany, NY 12207
Telephone: (518) 465-9315
Email: KP@readlaniado.com

(6) Business Description

Garnet Energy Center, LLC is a limited liability company formed on November 12, 2019 in Delaware, and will develop, own, operate, and maintain a wholesale solar-powered generating facility in Cayuga County, New York. Garnet Energy Center, LLC is a wholly owned, indirect subsidiary of NextEra Energy Resources, LLC (NEER), which is located at address: 700 Universe Blvd, Juno Beach, Florida, 33408. NEER is a nationally recognized clean energy provider with a portfolio of facilities totaling over 23,000 MW of generating capacity in the United States and Canada, of which over 2,600 MW is derived from the sun. NEER operates primarily as a wholesale power generator, providing power and environmental attributes to utilities, retail electricity providers, power cooperatives, municipal electric providers, and large industrial companies. Approximately 99 percent of NEER's electricity is derived from clean or renewable sources, including solar and wind. NEER, together with its affiliated entities, is the world's largest operator of renewable energy from the wind and sun.

NEER is a subsidiary of NextEra Energy, Inc. (New York Stock Exchange ticker: NEE), a nationally recognized clean energy provider and the world's largest producer of energy generated from the wind and sun. NextEra Energy Inc. employs over 14,000 people in the United States and Canada. Headquartered in Juno Beach, Florida, NextEra Energy Inc.'s principal subsidiaries are Florida Power & Light Company, which serves approximately five million customer accounts in Florida and is one of the largest rate-regulated electric utilities in the United States, Gulf Power Company, which serves more than 460,000 customers in eight counties throughout northwest Florida, and NextEra Energy Resources, LLC (as previously described).

(7) Documents of Formation

Garnet Energy Center, LLC is owned by NextEra Energy Resources, LLC. A copy of the Certificate of Formation for Garnet Energy Center, LLC is included as Appendix 1-1.